

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GREE, INC.,

Plaintiff,

v.

SUPERCELL OY,

Defendant.

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Case No.: 2:19-cv-00310-JRG-RSP

JURY TRIAL DEMANDED

JOINT MOTION TO AMEND THE DOCKET CONTROL ORDER

Plaintiff GREE, Inc. and Defendant Supercell Oy (collectively, the “Parties”) respectfully file this Joint Motion to Amend the Docket Control Order pursuant to the Court’s January 28, 2020, Scheduling Conference. At this Court’s Scheduling Conference on January 28, 2020, this Court set all deadlines for the 19-cv-310 and 19-cv-311 cases on the same track, with the exception of the claim term exchanges, discovery cut off, claim construction briefing, the *Markman* Hearing, and disclosure of Opinions of Counsel, which were scheduled approximately three to four days apart between the two cases. Further, the Court set the trial in this case for March 1, 2021 in both matters. The Parties hereby respectfully request that the 19-cv-310 case be placed upon the same schedule as the 19-cv-311 case, that the parties be permitted to conduct a consolidated *Markman* Hearing for the two cases on the date as set forth in the 19-cv-311 case, and that the trial in both cases be reset to begin March 22, 2021 or later. There is good cause to amend the Docket Control Order to align the schedule of the 19-cv-310 case with the 19-cv-311 case and reset the trial date because doing so would conserve party and judicial resources and would streamline the proceedings. Moreover, Lead Counsel and Co-Counsel for GREE, Inc., Steven D. Moore and Taylor Pfingst, both have a previously scheduled trial in a matter captioned: *Aqua Lighting*

Technologies, LLC v. Zodiac Pool Systems, LLC, 19-cv-01719, pending in the Southern District of California. The trial in that matter is scheduled to begin on March 2, 2021 and thus conflicts with the March 1, 2021 date set for trial in this matter. Therefore, good cause exists to amend the Docket Control Order in this case to reset the trial date as well.

The parties have conferred and respectfully request that the dates set forth in the Docket Control Order be adjusted to (1) align with those dates set forth in the schedule for the 19-cv-311 case, (2) that certain other non-asterisk dates relating to the service of Supercell's invalidity and subject-matter eligibility contentions and exchange of claim terms be moved, consistent with agreement reached between the parties, and that (3) the trial date be moved to March 22, 2021 or later, at the Court's convenience, to accommodate conflicting trial dates in other matters for counsel for GREE, Inc. as set forth above.

The Parties have conferred and agreed upon all other provisions of the Docket Control Order and hereby jointly move to amend the Docket Control Order to set new dates consistent with the above as set forth in the Amended Docket Control Order, a copy of which is attached hereto for the Court's entry.

Dated: February 12, 2020

Respectfully submitted,

/s/ Steven D. Moore

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CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served on February 12, 2020, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Steven D. Moore

Steven D. Moore